

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 6-17, 19, 25, 27-30, 40-44, 46-51, 53, 74-85, 87 and 90-93, 95-98 are pending in the application, with claims 6, 25, 40 and 74 being the independent claims. Claims 1-5, 20-21, 35-39, 54-55, 65-66, 69-73, 88-89 and 99-100 are cancelled without prejudice or disclaimer. Claims 74 and 90 are currently amended to define the claimed invention even more clearly. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be cancelled.

Allowed Claims

Applicants acknowledge with gratitude the Examiner's allowance of claims 6-17, 19, 25, 27-30, 40-44, 46-51, 53, 74-85 and 87.

Rejections under 35 U.S.C. § 101

Claims 90-98 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicants respectfully traverse this rejection.

Independent claim 90 has been amended to recite "a tangible computer readable medium having computer program logic recorded thereon". Independent claim 90, as amended, and claims 91-98 which depend therefrom, are directed to a

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tangible computer readable medium, such as, a computer disk or memory. Such a computer program product, as recited in amended claim 90, represents an article of manufacture which is statutory subject matter under 35 U.S.C. § 101. In 1995, the Commissioner of Patents and Trademarks conceded to the U.S. Court of Appeals for the Federal Circuit “that computer programs embodied in a tangible medium, such as floppy diskettes, are patentable subject matter under 35 U.S.C. § 101”. *See In re Beauregard*, 53 F.3d 1583 (Fed. Cir. 1995). Dependent claims 91-98 depend from claim 90, and should similarly be found allowable. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw rejection of claims 90-98 and find them allowable.

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SCOTT *et al.*
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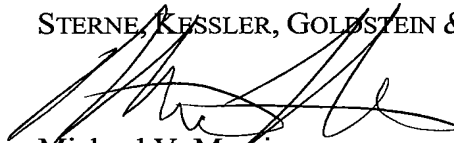
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be cancelled. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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